App. F. IX-4

1936-37
(CB/)

File No. 150/36
Serial Nos. 51

Previous References
CB. 172-36-1404
CB 2-35-2
HC. 311-35-1-2
CB 130-36-3404

Later References
CB 109-37-1
CB 43-37-596
LRB&P 10879 37
SHA 856-38(43)
CB .100-40-3.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 54 6

Part B for June 1937

SUBJECT.

Admissibility of arrangements during Joining Time Vacancies of Officers.

Serial No.

Letter no. 357/G.A.D. dated 18th May 1937 from the Comptroller to Govt stating that no arrangement is admissible during joining time vacancies of officers & that Mr Vedavyasa chariya's appointment as ag. Dy Comr will have effect from the date Mr T. Abdul Khadir proceeds on leave & that the appointment of Mr K. Narimhasa as Ag Dt. Judge will not be admissible during the preparation and joining time availed of by Mr V. Singaravelu Mudaliar, appointed to act as Judge of the High Court

Subd

1) An acting arrangement was proposed in the cadre of senior Assistant Commissioners, for the period from 14.10.35 to 20.10.35. when Mr Abdul Hadi was on joining time, prior to his taking charge of the office of the Dy. Comr, Kadur Dt. and the Comptroller agreed to the arrangement (vide note, ante in CS file 2-35-2 part of)

2) The present two instances, in which the Comptroller states that arrangements during joining time vacancies are inadmissible, are quite similar to the one quoted above

Submitted for orders.

KMK
20/5/37

VD 0417—GPB—30,000—8-9-36

Serial No.

3) The Comptroller has raised an objection to allow the acting arrangements made in joining time vacancies in the two undermentioned instances:—

(i) Appointment of Mr. V. Vedavyasacharya to act as Dy. Comr from 14-5-37 to 21-5-1937, viz. Mr. M.S. Ramachandra Rao on joining time prior to his taking charge of Tumkur Dt. from Mr. T. Abdul Khader on 22.5.37

(ii) Appointment of Mr. H. Nanjundaiya as acting Dt. Judge from 29.5.37 to 6.6.37, during the time covered by Mr. T. Singaravelu Mudaliar being on joining time prior to his assuming charge in the High Court.

4) On previous occasions the Audit office have allowed such arrangements and even class to class promotions have been allowed in the Grade of Dy. Comrs & Senior Asst. Comrs. It is not clear why the objection is raised now on the present two occasions

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2

The audit office refer in this connection to a ~~reference~~ Communication ~~from~~ d. 14.9.36 from the Secretary to Govt. Dev. Dept. to the Chief Conservator in which it is stated that under the principle enunciated in Art 97 M.S.O no arrangements are admissible among Vacancies arising out of purely joining time & no charge allowance is admissible in such instances. With reference to this, it may be stated that it is only a Communication from one administrative Secretary (not Fin. Secy) to a Head of Dept. in regard to a particular case raised, and cannot be perhaps construed as a general order applicable to all future cases. ~~Instructions also issued to Depts etc. are also inforce especially~~ Further Art. 97 has application only to cases where an officer has been placed in charge of another's duties & a charge allowance is claimed.

5) The two instances now objected to have besides some

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special features. Mr. T. Singaravelu Mudr. took leave from 17.5.37 in Continuation of the summer vacation for 13 days & thereafter availed himself of joining time till he joins the High Court in June 37 — and his circumstances was brought to the notice of the Audit office also before the leave was granted. The sanctioning of this arrangement facilitated all the ~~Changes~~ changes in the Civil Courts Coming into effect from 17.5.37 simultaneously (with no necessity for a further disturbance in the charge of the Dr. Court ~~2~~ 3 weeks later) According to the audit objection Mr. M. Ranjmudaliar's acting appointment as Dr. Judge is admissible from 17-5-37 to 28.5.37 (during leave period of Mr. T. Singaravelu Mudr.), but not from 29-5-37 to 6.6.37, & will again be admissible from 7.6.37. The effect ~~is~~ would be that though the officer would actually be in continuous charge of the Dr. Court from 17.5.37, he should be deemed for account purposes to have reverted as Sub Judge for a short break of a week in the middle month during duties of Dr. Judge.

Serial No.

In the case of Mr. V. Vedavyasachary also he is actually doing the duties of a Dy. Comr from 14.5.37, and the fact that till 21.5.37 his acting appointment will have to count against the joining time of Mr. M.S. Ramachandra Rao was brought to the notice of the Fin. Secy. also at the time According to the audit view now expressed, Mr Vedavyasachary will have to be technically a Senr Asst. Comr. during this interval though actually doing the duties of a Dy. Comr with a break in the continuity of his acting service as Dy. Comr.

6) It is respectfully submitted that the cumulative effect of joining time vacancies in a series of transfers may at times extend to a fairly long period, and in the case of important charges it may not be always convenient that they should be without full-time officer during such time. In the two instances now under adverteence

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the joining time vacancies fit into other pucca vacancies and the denial of arrangements during joining time will lead to a break in the continuity ~~of practitioners of offices~~ of arrangements.

7) It is for orders whether they may not be permitted as a special case, if the audit view is upheld

Submitted
Sd
21/5/37

There is no Special case. It should be accepted as the ord[inary] procedure unless refusal is indicated.
MMS

8) I agree with the Office note. In the Exigencies of Service such arrangements as those indicated in the Office note become imperative and it is not fair that officers actually in charge should be deprived of their legitimate emoluments for the duties they actually perform. No formal orders seem called for but the Comptroller may be informed that no objn. need be taken in cases where Govt: order transfers in the interests of service without any specific direction as regards joining time salary.

Recommend

MMS
21/5

1st Member
&
Dewan
Chief Fin[ancial] Sec[retary]

DEWAN'S OFFICE
14 JUNE 1937
No. 570S.

FINANCIAL SECTION
U.O.No. Fi. 3101
24 MAY

OFFICE OF THE FIRST MEMBER TRIVANDRUM
12 JUNE 1937
No. 4626

9) There is no objn. to the acting allowance being given and acting promotions being made in favour of Joining Time Vacancies ~~as was done in the case of~~ under such arrangements as formerly. Sometimes these will cause hardship in cases in which such arrangements would be unnecessary.

10) JJ 14/6

11) MJ 14-6-37
MMS 15/6
MMS 16/6

CS 2006

Admissibility of arrangements during joining time Vacancies of Officers

General and Revenue Secretariat | File No. of 193 . | [App. F. III—2

Serial No.

Subd.

A Draft ya letter to the Comptroller put up

KNR 15/6/37

Appd.

MVS 17.6.37

Fin Com No. 34 (Camp) Mysore, 18/6/37

F/D has agreed. Draft + Hair submitted

Issue MV 18/6

18/6/37.

Issued 18/6/37

No. 3118 dated 17.6.37

The Comptroller thro Financial Secretariat

States that the grant of acting promotions and the payment of acting allowances are not inadmissible in joining time vacancies + holds that such arrangements will not be admissible As a matter of Course, but only in Cases where Govt Consider them to be necessary + formally sanction that requests that in appointments of Messrs V. Vedavyasa Chary + M. Venkatachar as acting Dy Chief + Dt Jdge respectively may be admitted Acting allowances allowed on that basis

BR

NOTE—Contn. Sheet.

CB 2006

CB 167-36-5

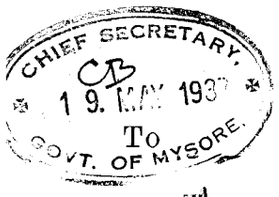
In reply please quote reference to No. 357/G.A.D.

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

Bangalore, dated 18th May *1937*.

FROM

A. N. RAGHAVACHAR, ESQ., M.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
Bangalore.



B.T. Kesavaiengar, Esq., B.A.,
Chief Secretary to the Government
of Mysore,
Bangalore.

SIR,

Sh 182 1 3/4 1

Adverting to Government Notification No.2762/C.B.150-36-4 dated 8th May 1937 appointing Mr. V. Vedavyasacharya to act as Deputy Commissioner and District Magistrate, Bangalore District in relief of Mr. M.S. Ramachandra Rao, transferred to the charge of the Tumkur District and to your D.O. letter No.2768/C.B.150-36 dated 8th May 1937 to Mr. M.S. Ramachandra Rao permitting him to avail himself of preparation and joining time from 14th to 21st instant, I have the honour to state that under the spirit of Article 97 Mysore Service Regulations, no arrangement is admissible during joining time vacancies of officers. Consequently, the appointment of Mr. Vedavyasacharya as acting Deputy Commissioner, Bangalore District can have effect only from the date Mr. Abdul Khader proceeds on leave.

Similarly the appointment of Mr. H. Nanjundiah as acting District Judge ordered in Government Notification No.2670/C.B.172-36-3 dated 26th April 1937 will not also be admissible during preparation and joining time that may be availed of by Mr. T. Singaravelu Mudaliar appointed to act as Judge of the High Court.

In this connection I may also invite your kind reference to letter No.G.1826/Ft.311-35-2 dated 14th September 1936 from the Secretary to Government, Development Department to the Chief Conservator of Forests stating that no arrangements are admissible

against

against vacancies arising out of purely joining time availed of by officers.

I have the honour to be,
Sir,
Your most obedient servant.

Comptroller.

SNS)

3118 C.S. 150-86-6
- 17/6/37

To

The Comptroller to Government,
(through Finl. Sectt.)

Sir,

With reference to your letter No.357/G.A.D. dated 18th May 1937 regarding the arrangements ~~made~~ during the joining time of Messrs. M.S. Ramachandra Rao and T. Singaravelu Mudaliar, I am directed to state that the grant of acting promotions and payment of acting allowances are not inadmissible in joining time vacancies. I am, however, to add that such ~~appointments~~ arrangements will not be allowed as a matter of course, but only in cases where Government consider them to be necessary and formally sanction them.

In the circumstances, I am to request that the appointment of Mr. V. Vedavyasacharya as acting Deputy Commissioner, Bangalore District, during the joining and preparation time of Mr.M.S. Ramachandra Rao, and the appointment of Mr.H. Nanjundiaya as acting District Judge during the joining and preparation time of Mr.T. Singaravelu Mudaliar may be admitted, and acting allowances allowed on that basis.

I have etc.,

17.6.37

Chief Secretary to Government.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 17th June 1937.

No. 311 S
C.B.150-36-6

From

B.T. Kesavaiengar, Esq., B.A.,

Chief Secretary to the Government of His Highness the Maharaja of Mysore.

To

A.N. Raghavachar, Esq., M.A.,
Comptroller to Government.

Through

Financial Secretariat.

Sir,

With reference to your letter No.357/G.A.D. dated 18th May 1937 regarding the arrangements made during the joining time of Messrs. M.S. Ramachandra Rao and T. Singaravelu Mudaliar, I am directed to state that the grant of acting promotions and the payment of acting allowances are not inadmissible in joining time vacancies. I am, however, to add that such arrangements will not be allowed as a matter of course, but only in cases where Government consider them to be necessary and formally sanction them.

In the circumstances, I am to request that the appointment of Mr. V. Vedavyasacharya as acting Deputy Commissioner, Bangalore District during the joining and preparation time of Mr. M.S. Ramachandra Rao, and the appointment of Mr.H.Manjundiaya as acting District Judge during the joining and preparation time of Mr.T. Singaravelu Mudaliar may be admitted, and acting allowances allowed on that basis.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.

ACH.4.